

**Speech by the Director of Public Prosecutions, Mr Keith Yeung, SC,
at the Opening Ceremony of the Prosecution Week 2015
on 23 June 2015 (Tuesday)**

Secretary for Justice; Chairlady of the Bar Association, Ms Winnie Tam, SC; President of the Law Society, Mr Stephen Hung; distinguished guests, ladies and gentlemen:

I welcome all of you to this official opening of Prosecution Week 2015 organised by the Prosecutions Division of the Department of Justice.

The Prosecution Week has now become a regular annual event. There are two related reasons for that. First, we believe it is extremely important for the Prosecutions Division to reach out to society, and to share with you how we discharge our duties as prosecutors. Second, it is the great reception that the community has shown in response. That encourages us. That motivates us. The community obviously is interested in understanding how we and the criminal system work (and in particular to understand it without being prosecuted and involved as an accused).

Interaction between the community and the Prosecution is vital. Hong Kong prides itself in having a highly developed and fair criminal justice system. But the continuous development and proper functioning of the system hinge upon the public's understanding and positive perception of the system.

How do we enhance that? Holding events like this is useful. But that is hardly enough. Unless we prosecutors are up to what we say we are, such events will just be propaganda. Back to basics, and more important of all, we prosecutors have to continue to maintain the highest standards, and to discharge our functions both professionally and independently.

It is for this reason that we have adopted "Uphold Justice with Professionalism and Independence" or "公義路上，專業獨立" in Chinese,

as our theme this year. It summarises two fundamental principles which we hold dear in the pursuit of criminal justice. Let me elaborate.

First, as professionals, we strive to perform our duties to the highest standards attainable. I use our advisory work as an illustration. Before we decide whether or not to prosecute in any given case, we must carefully and critically evaluate all the available evidence. All documents are studied. All witness statements are considered. Video clips, of which there are many these days from all sources, are viewed over and over, and if necessary in super-slow motion. Inconsistencies are carefully weighed. Inferences are debated over. Unless we are satisfied that the evidence supports a reasonable prospect of success, there can be no prosecution. And once we are so satisfied, we proceed to consider whether the public interest requires the prosecution to be brought. And at all times, we guide ourselves by the law, international standards, all applicable practice, and our Prosecution Code.

Prosecutors act professionally by adhering to our role as ministers of justice. Whilst the job of the prosecutor is to "prosecute", I cannot emphasise enough that as professionals, we do not have any agenda to "convict" at all costs. Our job is to present the admissible evidence before the court in a fair and objective manner. It is for the judge or the jury (as the case may be), adopting the even higher standard of beyond reasonable doubt, to decide on the verdicts. In carrying out our duty to prosecute, we strive to ensure that the rights of all parties to the criminal proceedings are always sufficiently safeguarded. It is this high degree of professionalism on the part of the prosecutors that help ensure the maintenance of a fair criminal justice system as we know it, and ultimately the rule of law.

The other overarching principle of prosecutorial independence is just as important as the first. The independence of the judiciary is well recognised as a cornerstone of the success of Hong Kong as an international city. The independence of the prosecutorial function which we perform is no less important. Article 63 of the Basic Law preserves the primacy of prosecutorial independence by providing a constitutionally entrenched guarantee that the Department of Justice shall control criminal prosecutions "free from any interference". It is on this foundation that

each of us as prosecutors is expected to carry out our duties, without being subservient to anyone however rich or powerful. In bringing public prosecutions on behalf of the Hong Kong Special Administrative Region, we act on the public interest. We act for the community. The important underlying principle enshrined in Article 63 of the Basic Law is that no individual or organisation may, or more importantly can, influence the prosecutorial process. They have no power to stand in our way. Safeguarding prosecutorial independence allows us to fearlessly pursue public justice and to uphold the rule of law.

In running the Prosecution Week by the fourth consecutive year in a row since its inception in 2012, it is opportune for us to take the theme of the event even closer to the heart of our work, to these notions of professionalism and independence which we hold dear, so that the public can better appreciate our role in the criminal justice system. I am pleased to say that the community has responded to this programme with great enthusiasm and support. One of the highlights this year is the slogan competition. We have received a staggering 364 entries from students from secondary schools. I am hugely impressed by the many highly creative, thoughtful, ingenious (and some entertaining) entries submitted. I am sure you will all join me in congratulating the winners, who are with us today. We will proceed to the prize presentation ceremony shortly.

To allow the community to know more about the prosecution process, we have also arranged court visits, mock court exercises and talks. Students can even try on barrister wigs and gowns to experience how it feels to be an advocate first hand. For this, I am thrilled to report here that an unprecedented total of over thirty schools have already applied to take part in our activities for this year.

Our community engagement activities are, in fact, not confined to this one week. After our very positive experience last year, we are running the Meet the Community Programme for a second year. Prosecutors will keep up our efforts in reaching out to the community by making visits to schools and organisations throughout the year. We believe that through presentations on topics such as the rule of law and different aspects of the criminal justice system, we can reach out further

to the community in which we live and serve.

Finally, thank you all again for attending today's opening ceremony. Special thanks go to our Secretary for Justice, Mr. Rimsky Yuen, SC, the Bar Association and the Law Society for their overwhelming support for the Prosecution Week. I am confident that, with your presence and active participation, the 2015 run of the Prosecution Week will reach another new height.

With these remarks, I invite our Secretary for Justice, Mr. Rimsky Yuen, SC, to deliver an opening address for Prosecution Week 2015.